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**DEVELOPMENT**

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***PROPOSED PROVISIONS FOR THE REGULATION OF CANNABIS ESTABLISHMENTS***  
***To Be Considered As Revisions to the***  
***Manchester Land Use & Development Ordinance***

***On March 1, 2022, Manchester voters opted to allow the retail sale of cannabis products in Manchester. In addition to cannabis retailers, the Vermont Cannabis Control Board will begin issuing licenses to cannabis cultivators (indoor and outdoor), wholesalers, manufacturers, and testing laboratories, as well as to establishments that combine the different types of operations. With the retail opt-in vote, all of these types of businesses will be allowed to operate within the Town of Manchester.***

Accordingly, the Manchester Planning Commission proposes revisions to *the Manchester Land Use & Development Ordinance*, adopted by the Selectboard effective on June 19, 2018, and revised on May 5, 2020, and October 12, 2021. This ordinance applies to all lands within the Town of Manchester except those within the Village of Manchester, a separate municipality with its own zoning and sign ordinances.

These proposed revisions address the following issues or topics:

1. Definitions are provided for cannabis establishments in accordance with Vermont Cannabis Control Board rules.
2. Each type of cannabis establishment is included in the Section 4.17 Use Table with an indication of whether it is prohibited or a permitted or conditional use in each zoning district.

The Planning Commission finds that the proposed revisions to the ordinance are in keeping with the goals and policies of the town plan. No significant changes in housing related provisions are proposed. The revisions re-enforce town plan goals of encouraging a concentrated mix of commercial and residential uses in the core, surrounded by rural residential and resource based uses in the outlying areas.

#### Proposed Section 13.4 Definitions:

***Cannabis.*** All parts of the *Cannabis sativa* L. plant including leaves, seeds, extracted resin, oil, or any derivative, preparation, or mixture thereof. Cannabis does not include hemp or hemp products as defined in 6 VSA §562, nor does it include mature stalks of the plant or fiber produced from the stalks, nor the sterilized seed of the plant, nor oil or cake made from the seed of the plant nor any derivative, preparation, or mixture thereof.

***Cannabis, cultivation, indoor.*** An establishment licensed by the state Cannabis Control Board to grow cannabis plants within an enclosed structure using artificial lighting.

***Cannabis, cultivation, outdoor.*** An establishment licensed by the state Cannabis Control Board to grow cannabis plants on an expanse of open or cleared ground or under a structure that maintains a sunlit environment for the cultivation of cannabis for less than 180 days per year.

***Cannabis, manufacturing.*** An establishment licensed by the state Cannabis Control Board to produce cannabis products, including but not limited to concentrated cannabis, edibles, ointments, tinctures, or vaporizer cartridges containing cannabis oil, and to sell such products to licensed cannabis retailers or wholesalers.

***Cannabis, retail.*** An establishment licensed by the state Cannabis Control Board to sell cannabis products to adults 21 years of age and older for off-site consumption.

***Cannabis, testing.*** A laboratory licensed by the state Cannabis Control Board to provide testing of cannabis or cannabis products, including but not limited to cannabinoid and contaminant content testing.

***Cannabis, wholesale.*** An establishment licensed by the state Cannabis Control Board to store, process, and sell cannabis and cannabis products to licensed cannabis retailers.

***Cannabis, integrated establishment.*** An establishment licensed by the state Cannabis Control Board to engage in cannabis cultivation, wholesale, manufacture, testing, and retail activities.

Proposed Section 4.17 Use Table Revisions:

Use & Definition <i>P = Permitted Use C = Conditional Use</i>	DN	TC	MU1	MU2	MU3	OI	R10	R4	R1	RR	RA	FC
<b>Retail Cannabis Sales</b> <i>An establishment licensed by the state Cannabis Control Board to sell cannabis products to adults of 21 years of age and older for off-site consumption. This includes licensed integrated cannabis establishments.</i>		C										
<b>Indoor Cannabis Cultivation &amp; Cannabis Manufacturing</b> <i>An establishment licensed by the state Cannabis Control Board to cultivate cannabis in an enclosed structure using artificial lighting, or to manufacture cannabis products, including but not limited to concentrated cannabis, edibles, ointments, tinctures, or vaporizer cartridges containing cannabis oil, and to sell such products to licensed cannabis retailers.</i>				C		P						
<b>Cannabis Wholesale</b> <i>An establishment licensed by the state Cannabis Control Board to store, process, and sell cannabis and cannabis products to licensed cannabis retailers.</i>				C		P						
<b>Laboratory or Research Facility</b> <i>An establishment used for research or analysis in the physical, engineering, cognitive or life sciences. This includes a laboratory licensed by the state Cannabis Control Board to provide testing of cannabis or cannabis products.</i>		C		C		C						
<b>Outdoor Cannabis Cultivation</b> <i>An establishment licensed by the state Cannabis Control Board to grow cannabis plants on an expanse of open or cleared ground or under a structure that maintains a sunlit environment for the cultivation of cannabis.</i>				C							C	

**ZONING DISTRICTS:**

DN – Downtown  
 TC – Town Center  
 MU1 – Mixed Use 1  
 MU2 – Mixed Use 2  
 MU3 – Mixed Use 3  
 OI – Office Industrial  
 R10- Residential 10  
 R4 – Residential 4  
 R1 – Residential 1  
 RR – Rural Residential  
 RA – Rural Agricultural  
 FC – Forest Conservation